

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FOREST LABORATORIES, INC. and
ONY, INC.,

Plaintiffs,

v.

DECISION AND ORDER
96-CV-159S

ABBOTT LABORATORIES and
TOKYO TANABE CO., LTD.,

Defendants.

1. On May 17, 2006, this Court entered a Decision and Order granting in part and denying in part Defendants' objections to Plaintiffs' Bill of Costs. Pursuant to that Order, an Amended Bill of Costs was filed on July 7, 2006 by Plaintiff Ony Inc. (Docket No. 385) and Plaintiff Forest Laboratories, Inc. (Docket No. 386).
2. On July 17, 2006, at the Court's direction (Dockets 384 and 389), each Plaintiff submitted an affidavit confirming that it had made a good faith attempt to resolve any remaining disputes with the Defendants prior to filing its Amended Bill of Costs and that, to its knowledge, no costs for which payment is sought are currently in dispute.
3. Having reviewed the Plaintiffs' submissions in support of the Bills of Costs, and being satisfied that the amount requested is consistent with this Court's May 17, 2006 Decision and Order, the Clerk of the Court hereby is directed to enter judgment in favor of Plaintiffs Forest Laboratories, Inc. and Ony Inc. in the amount of One Hundred Thirteen

Thousand One Hundred Eleven and 93/100 (\$113,111.93) Dollars.¹

SO ORDERED.

Dated: August 13, 2006
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge

¹ Each Plaintiff submitted a separate Bill of Costs seeking identical amounts and supported by identical documentation. These submissions (Docket Nos. 385 and 386) are duplicative and are not to be aggregated.